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Taek-Kyun Choi

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EXAMINER

DUBASKY, GIGIL

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/781,796	Applicant(s) CHOI, TAEK-KYUN	
	Examiner GIGI L. DUBASKY	Art Unit 2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14-24 and 33-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-24 and 33-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Claims 29-32 have been cancelled.

Claims 1-12, 14-24 and 33-36 are pending.

1. Information Disclosure Statement: in response to the IDS filed on August 3, 2010, the reference CN1362883A is considered by examiner based on the English translation of Text of the First Office Action provided in one of NPL documents by the Applicant on 08/03/2010 as an English language equivalent for the reference CN1362883A. The reference JP2001-127847A, which has been placed in the application file, but has still not been considered as to the merits because there is no English abstraction or English language equivalent provided for this reference. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).
2. The objection is withdrawn due to the cancellation of the claims.
3. Applicant's arguments in the Remarks filed on 11/28/2010 have been fully considered but they are not persuasive.

Examiner would like to clarify that claim 1 and other claims as listed in the previous Office action have been rejected under 35 U.S.C. § 102 (e) but not 102 (b) as stated by the Applicant on page 8.

In response to the Applicant's argument on page 8 with regard to claim 1, that Hiroi does not teach, suggest or disclose "a second receiver for **receiving a television signal** as recited in claim 1", and "performing the capture and transmission while playing the received image", examiner respectfully disagrees.

First, claim 1 does not narrowly recite "receiving a television signal", but broadly recites "receiving a moving image signal". Hiroi discloses communication control and input/output unit 508 and video input unit 505 (Figure 4) (as "a first receiver" and "a second receiver" or vice versa) both enable to receive video image signal (as "moving image signal") (¶ [0055] lines 14-16, ¶ [0056] lines 3-9, ¶ [0057] lines 1-6 and ¶ [0087]).

Second, Hiroi discloses the central processing unit (CPU) 501 (Figure 4) controls the operation of the terminal device according to programs prepared for processing operations such as receiving video/audio signals from the input units, obtaining necessary video data to display video on the display, encoding video/audio data obtained by shooting a video image to create a packet and transmitting packet to other terminal device (¶ [0026]-[0027] and ¶ [0056]). Hiroi also discloses each of the above processing operations is implemented as a program and is executed currently with others by the CPU 501 (¶ [0087]-[0091]). It means that Hiroi discloses the CPU 501 enables to execute currently all processing operations (i.e., receiving, displaying, capturing, encoding and transmitting video signals) of the terminal device.

Then, Hiroi clearly discloses a second receiver for receiving a moving image signal and controlling to capture and transmit a portion of the moving image signal while the moving image is display as recited in claim 1.

In response to the Applicant's argument on page 10 with regard to claim 33, that "Ortiz does not relate to transmitting such images", it is noted that Ortiz reference is used only to disclose the teaching of a mobile communication terminal being able to receive a television broadcast signal.

For all given reasons above, examiner maintains the rejections.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3, 7, 9, 12, 15-16 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hiroi et al (US 2003/0222973).

Regarding claim 1, Hiroi discloses an apparatus for transmitting a signal of a moving image in a mobile communication terminal capable of receiving the reproducing the moving image (¶ [0001]), the apparatus comprising:

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a first receiver (antennas 207 and 307 of Figures 2 and 3 respectively) for receiving a communication signal (¶ [0046] lines 11-13), wherein the communication signal is associated with a communication function of the mobile communication terminal (¶ [0052]);

a second receiver (element 505 in Figure 4 or element 508) for receiving a moving image signal (¶ [0055] lines 14-16, ¶ [0056] lines 3-9, ¶ [0057] lines 1-6 and ¶ [0087] for receiving video (as "moving image") signals from either or both elements 505 and 508);

an input section (elements 204, 304 and 507 in Figures 2, 3 and 4 respectively) for generating signals for capturing and transmitting the moving image signal (¶ [0055] lines 1-9 for using by a user to input, for example, operation setting information of the terminal device, a telephone number of a communication party and also indication of communication start and end points; see Figures 2 and 3 for terminal devices having a camera 202 and 302; and see abstract lines 6-8 and ¶ [0026]-[0027] for the sending side terminal device determines the video size for transmission according to size of the video image obtained by shooting, then displays obtained video data in its own video display area, encodes and transmits it to other terminal device. Therefore, the input section of terminal device must include function of generating signals for capturing and transmitting the video image signal);

a control section (CPU 501 in Figure 4) for receiving, according to the signals generated by the input section, a command signal for capture and transmission of the moving image signal (¶ [0056] and ¶ [0060]-[0061] for CPU is a general processor to control operation of terminal device according to programs prepared for operation such as

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receiving user's input signal via the input section for establishing call, acquiring audio and video data, obtaining necessary video data for displaying data, encoding audio and video data and transmitting encoded video and audio data to the destination terminal device), and controlling to capture and transmit a portion of the moving image signal while the moving image is displayed (¶ [0026]-[0027] and ¶ [0056] for the CPU 501 controls the operation of the terminal device according to programs prepared for processing operations such as receiving video/audio signals from the input units, obtaining necessary video data to display video on its own display area, encoding video/audio data obtained by shooting a video image to create a packet and transmitting packet to other terminal device; and ¶ [0087]-[0091] for each of the above processing operations is implemented as a program and is executed currently with others by the CPU 501. It means that Hiroi discloses the CPU 501 enables to execute currently all processing operations (i.e., receiving, displaying, capturing, encoding and transmitting the video signals) of the terminal device);

a memory (element 502 in Figure 4) for storing the image captured according to a capture command generated by the control section (¶ [0057] lines 6-18); and

a transmission section (element 508 in Figure 4) for transmitting the captured image stored in the memory (¶ [0056] lines 8-9).

Regarding claim 3, Hiroi discloses the apparatus as discussed in the rejection of claim 1. Hiroi further discloses the captured image includes moving image data (¶ [0018]).

Regarding claim 7, Hiroi discloses the apparatus as discussed in the rejection of claim 1. Hiroi further discloses an image converter for converting a video image size of the captured image (¶ [0088] and ¶ [0101]-[0103] for minimizing or cutting (converting) size of obtained video data according to the video size of the own video display area, according to the video size for transmission).

Regarding claim 9, Hiroi discloses the apparatus as discussed in the rejection of claim 1. Hiroi further discloses the transmission section transmits a captured image (¶ [0056] lines 8-9 for transmitting video image via element 508 in Figure 4), which is stored in the memory (¶ [0057] lines 6-18), by a phone-to-phone method (¶ [0015] and ¶ [0042]-[0044] for transmitting video data between phone-to-phone method).

Regarding claim 12, all limitations of claim 12 are analyzed corresponding to all functionalities of the apparatus of claim 1. So, claim 12 is rejected under the same rationale as claim 1.

Regarding claim 15, all limitations of claim 15 are analyzed corresponding to all functionalities of the apparatus of claim 3. So, claim 15 is rejected under the same rationale as claim 3.

Regarding claim 16, Hiroi discloses the apparatus as discloses in the rejection of claim 12. Hiroi further discloses storing the captured image in a memory after the step of capturing the image (¶ [0057] lines 6-18).

Regarding claim 20, all limitations of claim 20 are analyzed corresponding to all functionalities of the apparatus of claim 7. So, claim 20 is rejected under the same rationale as claim 7.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 4-6, 10, 14, 17-19, 23 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroi et al (US 2003/0222973) in view of Nishimura (US 2002/0051181) of the record.

Regarding claim 2, Hiroi discloses the apparatus as discussed in the rejection of claim 1. Hiroi does not explicitly disclose the captured image includes still image data.

Nishimura discloses a system of transmitting and receiving an E-mail with an attached file which is not only a file of a still image but also a file of speech, music or moving pictures (¶ [0045]) using a notebook personal computer (Figure 2) as well as a

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portable telephone set (Figure 15) as transmission terminals to perform functions of Nishimura's invention (§ [0159]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hiroi's system with the capability of capturing and transmitting not only a moving image but also a still image, speech and music as taught by Nishimura, so to provide an enhanced system being capable of sharing various types of file to others.

Regarding claim 4, Hiroi discloses the apparatus as discussed in the rejection of claim 1. Hiroi does not explicitly disclose a file compressor for compressing the captured image.

Nishimura discloses a system of transmitting and receiving an E-mail with an attached file which is not only a file of a still image but also a file of speech, music or moving pictures (§ [0045]). Nishimura discloses the captured image file is compressed into a file (§ [0143]). It means that Nishimura's system must comprise a file compressor for compressing the captured image.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hiroi's system with a file compressor for compressing the captured image into file as taught by Nishimura, so to reduce bandwidth in transmission and space for storage of a compressed file.

Regarding claims 5 and 29, Hiroi in view of Nishimura discloses the apparatus as discussed in the rejection of claim 4. The combined system further discloses the file compressor compresses the still image data in one selected from the group of extensions consisting of Joint Photographic Experts Group (JPEG), BitMap (BMP), Graphics Interchange Format (GIF), Picture Image Compression (PIC), Tag Image File Format (TIFF), Portable Document Format (PDF), and Extension Post Script graphics (EPS) formats (taught by Nishimura; ¶ [0149]-[0150] for compressed image in GIF, PNG, TIFF and JPEG format).

Regarding claims 6 and 30, Hiroi in view of Nishimura discloses the apparatus as discussed in the rejection of claim 4. The combined system further discloses the file compressor compresses the moving image data in one selected from the group of extensions consisting of Moving Pictures Expert Group (MPEG), Advanced Streaming Format file (ASF), Advanced Streaming Redirect file (ASX), AVI, Data file for video CD MPEG movie (DAT), Animator Animation (FLI), Animator Animation most recent version of FLI format (FLC), Apple QuickTime Movie (MOV), MPEG Movie (MPG), Real Audio iRA), Real Media CRAM), Real Media (RM), MPEG layer 2 movie (VOB), and Vivo Active Movies (VIV) formats (taught by Nishimura; ¶ [0154] and ¶ [0167] for the captured moving picture in MPEG format).

Regarding claim 10, Hiroi discloses the apparatus as discussed in the rejection of claim 1. Hiroi discloses the transmission section transmits a captured image (¶ [0056]

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lines 8-9 for transmitting video image via element 508 in Figure 4), which is stored in the memory (¶ [0057] lines 6-18).

Hiroi does not explicitly disclose transmitting a capture image together with an email.

Nishimura discloses a system of transmitting and receiving an E-mail with an attached file of a captured still image, a file of speech, music or moving pictures (¶ [0045]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hiroi's system with the capability of transmitting a captured image together with an email as taught by Nishimura, so to provide an enhanced system with a diversity of video image transmission method for sharing data to others.

Regarding claim 14, all limitations of claim 14 are analyzed corresponding to all functionalities of the apparatus of claim 2. So, claim 14 is rejected under the same rationale as claim 2.

Regarding claim 17, all limitations of claim 17 are analyzed corresponding to all functionalities of the apparatus of claim 4. So, claim 17 is rejected under the same rationale as claim 4.

Regarding claims 18 and 31, all limitations of claims 18 and 31 are analyzed corresponding to all functionalities of the apparatus of claim 5. So, claims 18 and 31 are rejected under the same rationale as claim 5.

Regarding claims 19 and 32, all limitations of claims 19 and 32 are analyzed corresponding to all functionalities of the apparatus of claim 6. So, claims 19 and 32 are rejected under the same rationale as claim 6.

Regarding claim 23, all limitations of claim 23 are analyzed corresponding to all functionalities of the apparatus of claim 10. So, claim 23 is rejected under the same rationale as claim 10.

8. Claims 8 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroi et al (US 2003/0222973) in view of Bagni et al (US 6236760) of the record.

Regarding claim 8, Hiroi discloses the apparatus as discussed in the rejection of claim 7. Hiroi discloses the converted image size is 320x240 pixels (see Figures 8-9), but does not explicitly disclose converted image size is one of dimensions including 128x112 dots and 128x96 dots.

Bagni discloses this limitation (Col 5 lines 36-45 for down converting image to size 128x96 pixels).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hiroi's system with the teaching of Bagni for down

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converting image to size 128x96, so to save more bandwidth for transmission the image file. The combined system of Hiroi and Bagni enables to convert images from size 640x480 pixels to 320x240 pixels and to 128x96 pixels. It is obvious that the combined system also enables to convert image to size 128x112.

Regarding claim 21, all limitations of claim 21 are analyzed corresponding to all functionalities of the apparatus of claim 8. So, claim 21 is rejected under the same rationale as claim 8.

9. Claims 11 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroi et al (US 2003/0222973) in view of Yi (US 7003040) of the record.

Regarding claim 11, Hiroi discloses the apparatus as discussed in the rejection of claim 1. Hiroi discloses a display section (display screens 203 and 303 in Figures 2 and 3 respectively) which includes a display area for video-processing and displaying the moving image signal (see Figures 8 and 9).

Hiroi does not explicitly disclose a display section having two display areas and one of display area for displaying a user function selection menu in such a manner that the menu can be selected by the input section.

Yi discloses a cellular phone having a display section which includes a first display area for video-processing and displaying the video signal and a second display area for displaying a user function selection menu in such a manner that the menu can

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be selected by the input section (see Figure 2 for display has two distinct areas, display section of image and user menu along side and bottom).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hiroi's system with the teaching of Yi, so to enhance user's viewing experience.

Regarding claim 24, all limitations of claim 24 are analyzed corresponding to all functionalities of the apparatus of claim 11. So, claim 24 is rejected under the same rationale as claim 11.

10. Claims 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroi et al (US 2003/0222973) in view of Ortiz et al (US 2003/0112354) of the record and further in view of Nishimura (US 2002/0051181) of the record.

Regarding claim 33, Hiroi discloses an apparatus for transmitting a video image signal in a mobile communication terminal capable of receiving the video image signal, the apparatus comprising:

an input section (elements 204, 304 and 507 in Figures 2, 3 and 4 respectively) for generating signals for capturing and transmitting the moving image signal (¶ [0055] lines 1-9 for using by a user to input, for example, operation setting information of the terminal device, a telephone number of a communication party and also indication of communication start and end points; see Figures 2 and 3 for terminal devices having a camera 202 and 302; and see abstract lines 6-8 and ¶ [0026]-[0027] for the sending

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side terminal device determines the video size for transmission according to size of the video image obtained by shooting, then displays obtained video data in its own video display area, encodes and transmits it to other terminal device. Therefore, the input section of terminal device must include function of generating signals for capturing and transmitting the video image signal);

a control section (CPU 501 in Figure 4) for receiving, according to the signals generated by the input section, a command signal for capture and transmission of the moving image signal (¶ [0056] and ¶ [0060]-[0061] for CPU is a general processor to control operation of terminal device according to programs prepared for operation such as receiving user's input signal via the input section for establishing call, acquiring audio and video data, obtaining necessary video data for displaying data, encoding audio and video data and transmitting encoded video and audio data to the destination terminal device), and controlling to capture and transmit a portion of the moving image signal while the moving image is displayed (¶ [0026]-[0027] and ¶ [0056] for the CPU 501 controls the operation of the terminal device according to programs prepared for processing operations such as receiving video/audio signals from the input units, obtaining necessary video data to display video on its own display area, encoding video/audio data obtained by shooting a video image to create a packet and transmitting packet to other terminal device; and ¶ [0087]-[0091] for each of the above processing operations is implemented as a program and is executed currently with others by the CPU 501. It means that Hiroi discloses the CPU 501 enables to execute currently all processing operations (i.e., receiving, displaying, capturing, encoding and transmitting

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the video signals) of the terminal device);

a memory (element 502 in Figure 4) for storing the image captured according to a capture command generated by the control section (§ [0057] lines 6-18); and

a transmission section (element 508 in Figure 4) for transmitting the captured image stored in the memory (§ [0056] lines 8-9).

Hiroi does not explicitly disclose the received video signal is a television signal.

Ortiz discloses a wireless hand held device (Figures 2 and 3) such as a PDA, paging device, WAP-enabled mobile phone... are available for receiving public television broadcast signals (§ [0057] and § [0061]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hiroi's system with the capability of receiving television broadcast signals as taught by Ortiz, so to provide an enhanced system capable of receiving television signals in order to improve user's viewing experience.

Regarding claim 34, all limitations of claim 34 are analyzed corresponding to the functionalities of the apparatus in claim 33. So, claim 34 is rejected under the same rationale as claim 33.

Regarding claim 35, all limitations of claim 35 are analyzed and rejected corresponding to claim 34. However, the combined system of Hiroi and Ortiz does not explicitly disclose capturing and transmitting a still image of the displayed image.

Nishimura discloses a system of transmitting and receiving an E-mail with an attached file which is a file of a captured still image, speech, music or moving pictures (¶ [0045]) using a notebook personal computer (Figure 2) as well as a portable telephone set (Figure 15) as transmission terminals to perform functions of Nishimura's invention (¶ [0159]). Nishimura discloses the CPU 51 (Figure 4) boots a capture program in conjunction with an E-mail program (¶ [0098] and ¶ [0105]) to capture a still image which is displayed in display area 206 (Figure 6) and to transmit the captured still image via E-mail attachment through a network (¶ [0095]-[0097]) in accordance with user commands (¶ [0101] and ¶ [0103]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combined system of Hiroi and Ortiz with the capability of capturing and transmitting a still image of displayed image as taught by Nishimura, so to provide an enhanced system which allows the user of mobile terminal to share captured image files to others.

Regarding claim 36, all limitations of claim 36 are analyzed and rejected corresponding to claim 34. However, the combined system of Hiroi and Ortiz does not explicitly disclose capturing a moving image for a capture time according to a capture start command and a capture end command of the displayed moving image.

Nishimura discloses a system of transmitting and receiving an E-mail with an attached file which is a file of a captured still image, speech, music or moving pictures (¶ [0045]) using a notebook personal computer (Figure 2) as well as a portable telephone

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set (Figure 15) as transmission terminals to perform functions of Nishimura's invention (¶ [0159]). Nishimura discloses the CPU 51 (Figure 4) boots a capture program in conjunction with an E-mail program (¶ [0098] and ¶ [0105]) to capture a moving image, which is displayed in display area 206 (Figure 6), for a capture time according to a capture start command and a capture end command of the displayed moving image (¶ [0109]-[0110] for using capture button 211 in capture window 202 or shot button 233 in mail window 230 in Figure 6 to start the photographing and displaying in the display area 207 the maximum possible recording time... if the photographing mode is in the moving image photographing mode. It is obvious that a capture end command is well-known and included if capturing a moving image. Nishimura also discloses transmitting the captured moving image via E-mail attachment through a network (¶ [0095]-[0097]) in accordance with user commands (¶ [0101] and ¶ [0103]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combined system of Hiroi and Ortiz with the capability of capturing and transmitting a moving image of displayed image as taught by Nishimura, so to provide an enhanced system which allows the user of mobile terminal to share captured image files to others.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIGI L. DUBASKY whose telephone number is (571)270-5686. The examiner can normally be reached on Monday through Thursday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN W. MILLER can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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/John W. Miller/
Supervisory Patent Examiner, Art Unit 2421

GD